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3621

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Robert BARRITZ et al.

Date: May 10, 2004

Serial No.: 09/726,166

Group Art Unit: 3621

Filed: November 29, 2000

Examiner: David Q. Le

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GROUP 3600

Mail Stop AF  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 9, 2004 of the Primary Examiner finally rejecting claims 1-40.

The Appeal Fee (\$330 - Non-Small Entity; **\$165 - Small Entity**) is

- ☒ Enclosed (check no. 16768)  
☐ Not required (fee paid in prior appeal)  
☐ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 10, 2004:

Max Moskowitz

Name of applicant, assignee or  
Registered Representative

Signature

May 10, 2004

Date of Signature

Respectfully submitted,

Max Moskowitz

Registration No.: 30,576

OSTROLENK, FABER, GERB &amp; SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700